



Office of the City Clerk
BOARDS, COMMITTEES & COMMISSIONS

CITIZEN POLICE ADVISORY REVIEW BOARD

CREATED BY:

Ordinance 8843, passed and adopted by Mayor and Council on March 24, 1997, repealed former Tucson Code, Chapter 10A, Article VIII, and added a new Chapter 10A, Article VIII, establishing the Citizen Police Advisory Review Board. Ordinance 9928, passed and adopted by Mayor and Council on January 26, 2004 amending Chapter 10A, Article VIII, Sections 10A-90, Subsections C and D and Section 10A-93, Subsection G, and by adding Chapter 10A, Article VIII, Section 10A-90, Subsection E, to the Tucson Code.

REGULAR MEETING DATE: 3rd Tuesday of each month.

REGULAR MEETING TIME: 5:30 p.m.

REGULAR MEETING LOCATION: Main Library, Lower Level Meeting Room,
101 N. Stone Avenue, Tucson, Arizona.

MEMBERS:

10 members: 7 voting members and 3 ex-officio, nonvoting members. The Mayor and each Council Member shall appoint 1 voting member of the board.

Should an appointment not be made within thirty (30) days of when the position becomes available, the appointment can be made by a majority vote of the mayor and council.

The City Manager, the Chief of Police, and the police employee's labor representation group, recognized by the city, shall each designate a representative to serve on the board as a continuing ex-officio, nonvoting member. In the event that there is no police employee's labor representation group recognized by the city, the Chief of Police shall designate 1 commissioned officer within the department who holds a rank no greater than sergeant to serve on the board as a continuing ex-officio, nonvoting member.

As provided in section 10A-137 the board may appoint up to four (4) additional nonvoting advisory members. The appointment of advisory members shall be made so as to enhance the diversity of the board. Advisory members are required to meet the same qualifications as appointed, voting members.

QUORUM:

A quorum shall consist of 4 voting members.

QUALIFICATIONS:

All voting members shall be residents of the city and shall not have ever been convicted of a felony. No voting member shall currently be a peace officer.

Initial comprehensive training shall be provided to each voting board member prior to reviewing any cases. Such training shall be mandatory and shall be designed and implemented by the Board's Training Committee, the independent police auditor and the Police Department. Voting and advisory members are required to pursue forty-eight (48) hours of educational opportunities annually and report these to the chairperson.

TERMS OF OFFICE:

All appointments shall be four (4) year terms, except that members appointed by the Mayor and each Council Member shall be coterminous with the appointing official and shall not serve beyond the term of the mayor or council member making such appointment.

Ex-officio members serve at the pleasure of the individual or group they represent. As per Tucson Code, Section 10A-137, the term of advisory members is not to exceed two (2) years.

EXEMPT FROM TCC 10A-134: No

Members cannot serve more than eight (8) consecutive years.

FUNCTIONS:

The Citizen Police Advisory Review Board shall report to the Mayor and Council annually, and shall submit such additional reports as it deems necessary or as requested by the Mayor and Council. The board's annual report shall be filed on or before February 1.

The Citizen Police Advisory Review Board is authorized to:

- a) Refer citizens who wish to file complaints against the city police department to the department's office of professional standards or to the office of the independent police auditor.

FUNCTIONS: (Con't)

- b) Conduct public outreach to educate the community of the role of the office of professional standards and the office of the independent police auditor in the investigation of complaints against the city police department or one of its officers.
- c) Request that the independent police auditor monitor a particular citizen complaint being investigated by the city police department.
- d) Request from the city police department a review of completed action taken by the department on a citizen complaint or a review of incidents which create community concern or controversy.
- e) Request from the independent police auditor a review of completed action taken by the independent police auditor on a citizen complaint.
- f) Review completed investigations of citizen complaints alleging police officer misconduct in order to comment on the fairness and thoroughness of an investigation and to report any concerns regarding the investigation to the chief of police, the independent police auditor, the city manager and/or the mayor and council.
- g) Provide comments and recommendations to the chief of police, the independent police auditor, the city manager and/or the mayor and council on the citizen complaint review process.
- h) Provide comments and recommendations to the chief of police, the independent police auditor, the city manager and/or mayor and council on police department policy, procedure, and practice.

The Citizen Police Advisory Review Board shall have the authority to:

- a) Consult with the governing body from time to time as may be required by the mayor and council.
- b) Assist the police in achieving a greater understanding of the nature and causes of complex community problems in the area of human relations, with special emphasis on the advancement and improvement of relations between police and community minority groups.

FUNCTIONS: (Con't)

- c) Study, examine, and recommend methods, approaches, and techniques to encourage and develop an active citizen police partnership in the prevention of crime.
- d) Promote cooperative citizen-police programs and approaches to the solutions of community crime problems, emphasizing the principle that the administration of justice is a responsibility, which requires total community involvement.
- e) Recommend procedures, programs, and/or legislation to enhance cooperation among citizens of the community and police.
- f) Strive to strengthen and ensure, throughout the community, the application of the principle of equal protection under the law for all persons.
- g) Consult and cooperate with federal, state, city, and other public agencies, commissions, and committees on matters within the board's charge.
- h) At the discretion and express direction of the mayor and council, assume and undertake such other tasks or duties as will facilitate the accomplishment of these goals and objectives, except as hereinafter provided.

Limitations of Powers:

Neither the citizen police advisory review board nor any member thereof, except as otherwise authorized by law, shall:

- a) Incur city expense or obligate the city in any way without prior authorization of the mayor and council.
- b) Except for the chairperson who is the official spokesperson for the board, make any written or oral report of any committee activity to any individual or body other than to the mayor and council.
- c) Independently investigate citizen complaints against the police department or individual police officers by questioning witnesses or otherwise.

FUNCTIONS: (Con't)

- d) Conduct any activity, which might constitute or be construed as a quasi-judicial review of police actions.
- e) Conduct any activity, which might constitute or be construed as establishment of city policy.
- f) Violate the confidentiality of any information related to matters involving pending or forthcoming civil or criminal litigation.
- g) Review or comment on the investigation of a citizen complaint where criminal charges are under investigation or pending until the case has reached a final disposition, except in those instances where the Police Department has determined that the citizen complaint is not related to the investigation or prosecution of the criminal charge against the citizen and has completed action on the citizen complaint and any other criminal charges have reached a final disposition.

OPEN PUBLIC MEETING LAW REQUIREMENTS:

This public body must comply with all provisions of the Open Public Meeting Law, including that a record of all meetings be maintained.

BCC TERMINATION REQUIREMENTS: This is an on-going board.

SUPPORTING DEPARTMENT(S):

City Manager 791-4204

Historical Notes:

March 24, 1997, Mayor and Council passed and adopted Ordinance No. 8843 which repealed former Tucson Code, Chapter 10A, Article VIII, Citizens-Police Advisory Committee, and added a new Chapter 10A, Article VIII, establishing the Citizen Police Advisory Review Board.

January 26, 2004, Mayor and Council passed and adopted Ordinance 9928, which amended Tucson Code, Chapter 10A, Article VIII, Sections 10A-90, Subsections C and D and Section 10A-93, Subsection G, and added Section 10A-90, Subsection E to the Tucson Code.